

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 98-2397

Harold Henderson,

Appellant,

v.

Randy Morgan, Warden, Maximum
Security Unit, Arkansas Department
of Correction; Steve Outlaw, Assistant
Warden, Maximum Security Unit,
Arkansas Department of Correction;
C. C. Hampton; Richard Wimberly,
Major, Maximum Security Unit,
Arkansas Department of Correction;
originally sued as Randy Wimbley,

Appellees.

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Appeal from the United States
District Court for the
Eastern District of Arkansas.

[UNPUBLISHED]

Submitted: December 2, 1998

Filed: December 7, 1998

Before FAGG, BEAM, and LOKEN, Circuit Judges.

PER CURIAM.

Harold Henderson, an Arkansas inmate, appeals from the district court's¹ dismissal of his 42 U.S.C. § 1983 action following an evidentiary hearing. After careful review of the record and the parties' briefs, we conclude that the district court did not err in dismissing Henderson's complaint. Accordingly, we affirm the judgment of the district court. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.

¹The Honorable Susan Webber Wright, Chief Judge, United States District Court for the Eastern District of Arkansas, adopting the report and recommendations of the Honorable H. David Young, United States Magistrate Judge for the Eastern District of Arkansas.